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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**
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9 EDWARD ELRY MORRISON,

10 Petitioner,

11 vs.

12 JIM BENEDETTI, Acting Warden, et al.,

13 Respondents.
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Case No. 3:07-CV-00295-LRH-(VPC)

ORDER

15 On September 5, 2008, the Court received from Petitioner a Motion for Judgment on Merits
16 of Petition (#33), the basis of which is that Respondents did not timely file an answer. No further
17 briefing on this motion is necessary. Respondents filed their Answer (#32) on September 2, 2008,
18 which is timely, given that the preceding day was a holiday.

19 IT IS THEREFORE ORDERED that Petitioner's Motion for Judgment on Merits of Petition
20 (#33) is **DENIED**.

21 DATED this 9th day of September, 2008.
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24 **LARRY R. HICKS**
25 **UNITED STATES DISTRICT JUDGE**
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